

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

Claims 1, 22, 29, 36, and 46 have been amended to overcome the claim objections. Claim 22 has also been amended to overcome the rejection under 35 U.S.C. § 103(a).

The rejection of Claim 22 under 35 U.S.C. § 112, first paragraph, is respectfully traversed. The specification is clearly enabling with regard to Claim 22. See Figs. 19 and 26A-26C. Figs. 26A-26C show a plurality of optical elements 105 and 105A having a first set of optical elements and a second set of optical elements (e.g., OMA, OMB, and 454-456). When optical elements 105 and 105A are superposed as shown in Fig. 26C, one of the first set of optical elements and one of the second set of optical elements are arranged at approximately a same place in the illumination optical path simultaneously. See Fig. 19. See, also, the paragraph bridging pages 90-91 of Applicants' specification.

The rejection under 35 U.S.C. § 103(a) acknowledges that Kudo does not specifically state that at least two of a plurality of optical elements are arranged at approximately a same place in the illumination optical path simultaneously. The rejection then proposes to extrapolate the disclosure of Kudo so that the Kudo device can have at least two of the plurality of optical elements arranged at approximately a same place in the illumination optical path simultaneously. There is no basis whatsoever for this extrapolation, and, indeed, it is not apparent from the Kudo

disclosure how a person of ordinary skill in the art could reasonably modify the structure disclosed in Kudo to accomplish the proposed extrapolation. Claim 22 and the claims dependent thereon clearly distinguish from Kudo and should be allowed.

Incidentally, with regard to Claim 5, a zoom optical system is not inherent in Kudo. The term "zoom optical system" has a well defined meaning in the art. Simply stated, a zoom optical system changes magnification between a telephoto end and a wide angle end of a lens system. This is not disclosed in Kudo and would not have been obvious from Kudo.

This application is now clearly in condition for allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

NHS:lmb

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